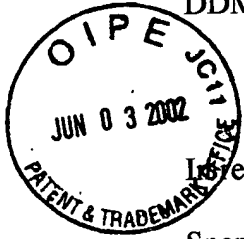


MEISTER & TRACY

DDM 00-031

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the Application of

Spencer Andrew Meister and
David Alan Tracy

Serial No. 09/644,594

Filed: August 23, 2000

For: APPARATUS AND
METHOD FOR PROVIDING ITEMS OF
VALUE IN COOPERATION WITH
OPERATION OF A COMPANION
DEVICE

Examiner: Butler, Michael E.

Group Art Unit: 2456

Elia
6/20/02
Section
#4

ELECTION

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

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Dear Sir:

In the Official Action dated March 8, 2002, the Examiner required an election of one of the inventions below under 35 U.S.C. 121:

- I. Claims 1 – 8 and 18 – 20 drawn to an apparatus and method for distributing an article along with a separate companion article, classified in class 700, subclass 219.
- II. Claims 9 – 10 and 13 – 17 drawn to an apparatus for dispensing marketing materials in conjunction with a controlled dispensing of a companion dispensing machine, classified in class 799, subclass 241.

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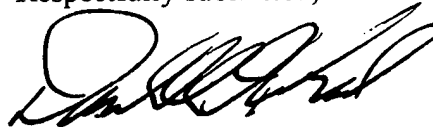
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- III. Claims 11 – 17 drawn to an apparatus for dispensing marketing materials in conjunction with the controlled delivery of entertainment to an audience, classified in class 700, subclass 234.

Applicants respectfully traverse the Examiner's restriction requirement. However, in the interest of facilitating examination of the application, Applicants hereby elect to proceed with examination regarding invention I above: Claims 1 – 8 and 18 – 20 drawn to an apparatus and method for distributing an article along with a separate companion article, classified in class 700, subclass 219.

Since Applicants have fully and completely responded to the Official Action, this Application is now in order for early action and such early action is respectfully requested. If the Examiner would deem a telephone conference to be of value in expediting this Application, he is invited to call the undersigned attorney at (972) 758-1955 at his convenience.

Respectfully submitted,



Donald D. Mondul

Attorney for Applicant(s)

Reg. No. 29,957

Law Office of Donald D. Mondul
6631 Lovington Drive
Dallas, TX 75252
(972) 758-1955

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Donald D. Mondul, Attorney for Applicants